

### **Rejections under 35 U.S.C. § 103**

Claims 1-7, 12-15, 17-21, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al. (U.S. Patent No. 6,328,642) in view of Jensen et al. (U.S. Patent No. 6,315,634). This rejection is respectfully traversed.

Both the Pant et al. patent and the Jensen et al. patent are assigned to Lam Research Corporation. The inventions of the present application are also assigned to the same entity, Lam Research Corporation. At the time the inventions of the present application were made, the Jensen et al. patent and the present application were subject to an obligation of assignment to Lam Research Corporation and the Pant et al. patent was assigned to Lam Research Corporation. Therefore, Applicants respectfully submit that under 35 U.S.C. 103(c), as amended by the Inventor's Protection Act of 1999, the Pant et al. patent and the Jensen et al. patent are disqualified prior art and therefore do not support a section 103 rejection against the claimed subject matter. Consequently, Applicants respectfully submit that claims 1-7, 12-15, 17-21, and 23 are allowable and respectfully request that the section 103 rejection be withdrawn.

Claims 8, 16, 22, and 27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al. (U.S. Patent No. 6,328,642) in view of Jensen et al. (U.S. Patent No. 6,315,634). This rejection is respectfully traversed.

Applicants submit that claims 8, 16, 22, and 27 are patentable for at least the same reasons as claims 1-7, 12-15, 17-21, and 23 above due to 35 U.S.C. 103(c) and the disqualification of the Pant et al. patent and the Jensen et al. patent as prior art. Therefore, Applicants respectfully submit that claims 8, 16, 22, and 27 are allowable and respectfully request that the section 103 rejection be withdrawn.

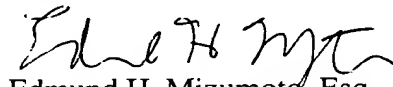
### **Allowable Subject Matter**

The Office has stated that claims 24-26 and 28-35 are allowed.

Claims 9-11 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that independent claim 1 is now allowable for the reasons stated above, so claims 9-11 are submitted to be in allowable form.

Applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the Request for Reconsideration, the Examiner is kindly requested to contact the undersigned at (408) 749-6900. If any additional fees are due in connection with the filing this paper, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. LAM2P223A).

Respectfully submitted,  
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